

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICCARDO SILVA,
Plaintiff,

v.

REDDIT, INC.,
Defendant.

Case No. 23-mc-80119-DMR (KAW)

**MODIFIED ORDER GRANTING IN
PART AND DENYING IN PART
MOTION TO RELATE CASES**

Re: Dkt. No. 3

On April 28, 2023, Plaintiff filed an administrative motion to consider whether this case concerning a subpoena against Reddit (“Reddit Action”) should be related to another case pending in this district, *In re: Subpoena to X Corp., Successor in Interest to Twitter, Inc.*, No. 4:23-mc-80122-DMR (“Twitter Action”). (Pl.’s Mot., Dkt. No. 3.) Plaintiff asserts the two actions arise out of the same pending lawsuit in Florida, “concern substantially the same transaction, *i.e.*, the subpoenas for subscriber information, and the legal issues to be resolved are the same in both cases as Reddit’s and Twitter’s remaining objection is limited to First Amendment grounds.” (Pl.’s Mot. at 3.) Additionally, Plaintiff requests that this case be reassigned to Magistrate Judge Ryu since “the earliest available notice hearing date in which these matters could be heard by [the undersigned] is July 6, 2023.” (Pl.’s Mot. at 4.) On May 8, 2023, the Court granted the administrative motion. (Dkt. No. 9.)

Pursuant to Federal Rule of Civil Procedure 54(b), “any order ... that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties ... may be revised at any time before the entry of a judgment adjudicating all the claims and all the parties’ rights and liabilities.”

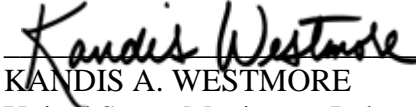
There is no dispute the Reddit Action and Twitter Action are related. Generally, such a

1 finding would result in the Twitter Action, as the higher-numbered case, being reassigned to the
2 undersigned pursuant to Local Civil Rule 3-12(f)(3). Although the Plaintiff asserts that an
3 exercise of the Court's discretion is warranted so that the motions "may be heard and decided
4 expeditiously given the importance of that information to the pending Florida Lawsuit," he does
5 not point to any pending deadlines in the Florida Lawsuit that will be impacted if the motions are
6 not heard until July or present any other argument concerning potential prejudice. The Court sees
7 no reason to depart from the standard approach under the Local Rules.

8 Therefore, the May 8, 2023 Order is MODIFIED such that the Court GRANTS IN PART
9 and DENIES IN PART Plaintiff's Administrative Motion and finds: (1) *In Re: Subpoena to X*
10 *Corp., Successor in Interest to Twitter, Inc.*, Case No. 4:23-mc-80122-DMR is related to the
11 earlier filed matter, *In Re: Subpoena to Reddit, Inc.*, Case No. 4:23-mc-80119-KAW; and (ii) the
12 later filed matter, Case No. 4:23-mc-80122-DMR shall be re-assigned to the undersigned in
13 accordance with the Local Civil Rules. The Clerk is directed to reassign *In Re: Subpoena to X*
14 *Corp., Successor in Interest to Twitter, Inc.*, Case No. 4:23-mc-80122-DMR to the undersigned.

15 IT IS SO ORDERED.

16 Dated: May 10, 2023

17 
18 KANDIS A. WESTMORE
United States Magistrate Judge

United States District Court
Northern District of California